

CHAPTER 1171**POLICE AND FIRE CHIEF APPOINTMENTS***H.F. 2035*

AN ACT relating to the appointment of chiefs of the police department and chiefs of the fire department in cities under civil service.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 400.13, unnumbered paragraph 3, Code 1985, is amended to read as follows:

In cities under the commission plan of government the superintendent of public safety, with the approval of the city council, shall appoint the chief of the fire department and the chief of the police department. In cities under the city manager plan a council-manager form of government the city manager shall make such the appointments with the approval of the city council, and in all other cities such the appointments shall be made by the mayor as provided by city ordinance or city charter.

Sec. 2. Section 372.4, unnumbered paragraph 3, Code 1985, is amended to read as follows:

The mayor shall appoint a council member as mayor pro tem, and shall appoint the marshal or chief of police except where an intergovernmental agreement makes other provisions for police protection or as otherwise provided in section 400.13. Other officers must be selected as directed by the council. The mayor is not a member of the council and may not vote as a member of the council.

Approved May 2, 1986

CHAPTER 1172**TORT CLAIMS***H.F. 2216*

AN ACT relating to the inclusion or exclusion of certain entities under tort claims acts.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 25A.2, subsection 1, Code 1985, is amended to read as follows:

1. "State agency" includes all executive departments, agencies, boards, bureaus, and commissions of the state of Iowa, and corporations whose primary function is to act as, and while acting as, instrumentalities or agencies of the state of Iowa, whether or not authorized to sue and be sued in their own names. This definition shall does not be construed to include any contractor with the state of Iowa. Soil conservation districts as defined in section 467A.3, subsection 1, conservancy districts as defined in section 467D.2, subsection 1, judicial district departments of correctional services as established in section 905.2, and regional boards of library trustees as defined in chapter 303B, are state agencies for purposes of this chapter.

Sec. 2. Section 613A.1, subsection 1, Code 1985, is amended to read as follows:

1. "Municipality" means city, county, township, school district, and any other unit of local government except a soil conservation district districts as defined in section 467A.3, subsection 1 and conservancy districts as defined in section 467D.2, subsection 1.

Sec. 3. Section 905.2, Code 1985, is amended to read as follows:

905.2 DISTRICT DEPARTMENTS ESTABLISHED.

There shall be is established in each judicial district in this state a public agency to be known as the " judicial district department of correctional services." Each

district department shall furnish or contract for those services necessary to provide a community-based correctional program which meets the needs of that judicial district. The district department shall be is under the direction of a board of directors, selected as provided in section 905.3, and shall be administered by a director employed by the board. A district department is a state agency for purposes of chapter 25A.

Approved May 2, 1986

CHAPTER 1173
REQUIREMENTS FOR BUSINESS ENTITIES
H.F. 2388

AN ACT relating to statutory requirements for corporations and limited partnerships by revising provisions governing filings, fees, reports, service of process, and publication of notice.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 172C.8, subsection 1, Code 1985, is amended by striking the subsection.

Sec. 2. Section 496A.108, unnumbered paragraph 1, Code 1985, is amended to read as follows:

Duplicate originals of the application of the corporation for a certificate of authority, together with a copy of its articles of incorporation and all amendments thereto certificate of good standing or existence, duly certified by the proper officer of the state or country under the laws of which it is incorporated, shall be delivered to the secretary of state for filing in the secretary of state's office.

Sec. 3. Section 496A.118, subsection 4, Code 1985, is amended by striking the subsection and renumbering the remaining subsection.

Sec. 4. Section 496A.118, unnumbered paragraph 2, Code 1985, is amended to read as follows:

~~No~~ A certificate of authority of a foreign corporation shall not be revoked by the secretary of state unless (a) the secretary shall have has given the corporation not less than sixty days' notice thereof by mail addressed to the principal office of the corporation in the state or country under the laws of which it is incorporated, and (b) the corporation shall ~~fail~~ fails prior to revocation to file ~~such~~ the annual report, or pay ~~such~~ the fees or penalties, or file the required statement of change of registered agent or registered office, ~~or file such articles of amendment or articles of merger,~~ or correct ~~such~~ the misrepresentation.

Sec. 5. Section 496A.121, Code 1985, is amended by adding the following new subsections, following subsection 7, and renumbering the remaining subsections:

NEW SUBSECTION. 8. A statement of the amount of land in this state owned by the corporation.

NEW SUBSECTION. 9. Whether the corporation is a family farm corporation as defined in section 172C.1.

Sec. 6. Section 496A.121, unnumbered paragraph 2, Code 1985, is amended to read as follows:

~~Such~~ The annual report shall be made on forms prescribed and furnished by the secretary of state, and the information ~~therein~~ contained in the report shall be given as of the first day of January of the year in which the report is due. It shall be executed by the corporation by ~~its president, a vice president, secretary, an assistant secretary, or treasurer~~ a representative